PATENT

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 2233-1450 on April 11, 2007.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No:

10/567.879

Filed:

February 9, 2006

International Filing Date:

August 11, 2004

Applicant:

Schlingensiepen

Title:

AN ANTISENSE OLIGONUCLEOTIDE TO INHIBIT MELANOMA

INHIBITORY ACTIVITY, MIA

Art Unit: Examiner:

Unknown Unknown

2382

Conf. No.: Atty Doc.:

VKSW-05

Cincinnati, OH

April 11, 2007

Mail Stop Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

FILING OF MISSING REQUIREMENTS

Pursuant to the Notification of Missing Requirements Under 35 U.S.C. §371 in the U.S. Designated/Elected Office, mailed on February 13, 2007, a copy attached hereto, submitted herewith is the Declaration, Power of Attorney and Petition executed by the inventors.

With respect to the Request for Sequence Listing, as noted above attached hereto is a copy of such Notice, along with a substitute computer readable form version (compact disc copy in duplicate) and paper copy of the Sequence Listing required under 37 CFR §§ 1.82 (c) and 1.823 (a)(1). The undersigned hereby states that the content of the paper and computer readable Sequence Listing submitted herewith are the same and that no new matter has been added, as required by 37 CFR 1.821(e).

Applicants do not believe that any fees are due in connection with this response other than the surcharge fee. However, if such petition is due or any fees are necessary, the Commissioner may consider this to be a request for such and charge any necessary fees.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

Beverly A. Lyman, Ph.D.

Reg. No. 41,961

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26875

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE UNITED STATES DEPARTMENT OF COMMIT United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Viginia 22313-1450 www.uspto.gov

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FIRST NAMED APPLICANT

ATTY. DOCKET NO.

U.S. APPLICATION NUMBER NO. 10/567,879

WOOD, HERRON & EVANS, LLP

Karl-Hermann Schlingensiepen

VKSW05

INTERNATIONAL APPLICATION NO. PCT/EP04/06986

I.A. FILING DATE

PRIORITY DATE

Page 1 of 3

08/11/2004

08/12/2003

CONFIRMATION NO. 2382 371 FORMALITIES LETTER OC000000022448903*

Date Mailed: 02/13/2007

2700 CAREW TOWER **441 VINE STREET**

CINCINNATI, OH 45202

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/09/2006
- Copy of the International Search Report filed on 02/09/2006
- Preliminary Amendments filed on 02/09/2006
- Information Disclosure Statements filed on 02/09/2006
- Oath or Declaration filed on 02/09/2006
- U.S. Basic National Fees filed on 02/09/2006
- Priority Documents filed on 02/09/2006
- Specification filed on 02/09/2006
- Claims filed on 02/09/2006
- Abstracts filed on 02/09/2006
- Drawings filed on 02/09/2006

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after

September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825 (d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821 (e) may be submitted in lieu of a new CRF.

• A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web. https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at http://www.uspto.gov/ebc.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO. INTERNATIONAL APPLICATION NO. ATTY. DOCKET NO. VKSW05

FORM PCT/DO/EO/905 (371 Formalities Notice)